

Town of Milan Comprehensive Plan**4. Natural Resources**Chapter Highlights:

The natural resources of Milan—its rocky slopes, water, wetlands, forests, and open space—are valued highly by Milan citizens; these same qualities drive its growth. To ensure that Milan does not sacrifice these unique qualities to overdevelopment by those who would wish to make Milan their future home, the CP recommends regulation of natural resources to protect them for future generations. These regulations address water and wetland resources critical to the quality of our rural water supply, and provide related protection from erosion of steep slopes and ridgelines. The completion of environmental studies and the adoption of critical environmental areas are recommended to better understand and protect our environmental jewels and strengthen the Conservation Advisory Council's guidance on the siting of future development.



Town of Milan Comprehensive Plan**4. Natural Resources****Natural Resources****A. Introduction**

The residents and landowners of Milan have consistently rated protection of the environment and maintenance of the rural character of the Town as interrelated and primary objectives for their Comprehensive Plan that will guide land-use regulation in the Town.

To better address environmental considerations, the Town of Milan joined the Greenway Compact in 2004. The Greenway Compact is a voluntary partnership between the Greenway Council and local communities. The Compact provides valuable guidelines and support for preserving natural resources. Among the guidelines are approaches for saving farmland from development, protecting wildlife habitat and avoiding habitat fragmentation, protecting stream corridors, and protecting wellheads and aquifers. In 2004 the Town also reconstituted an active Conservation Advisory Council. The CAC has served as the natural resources committee supporting the Comprehensive Plan review. In addition, they began to provide the Town Planning and Zoning Boards with their assessments and recommendations with respect to the environmental considerations of development and other initiatives in the Town.

B. Existing Conditions and Trends

In the past, environmental considerations have been incorporated into Town zoning and decisions on largely an intuitive basis. Much of the Town of Milan is hilly with steep slopes, rock, and shallow soils (see the description of Milan in the appendix, Physiographic Features, a revision of material from the 1986 Master Plan). The topography supports many perennial and seasonal streams; Milan is within the watershed of seven important streams that are part of the larger Hudson River watershed. In addition, the area contains large numbers of wetlands, many smaller than protected by the NYS DEC today. The Town does not have wetlands, stream, steep slopes or ridgeline regulations. Although parts of Milan contain harvestable woodlands, we lack controls on timber harvesting to protect sensitive soils and watersheds. According to a presentation by Red Wing Sand and Gravel, 1.1% of the Town contains accessible sand and gravel deposits.

Today, the only tool in Town zoning for the protection of sensitive environmental resources is the Land Conservation Zone, a designation that has been used to prevent development in some areas with sensitive water resources. This tool should be replaced by thoughtful and scientifically based water resources regulations in the Town. Only in recent years has the information required to more scientifically assess such factors become available with the expansion of GIS data and services through the Dutchess County Planning Department and the Environmental Management Council. Data reviewed on the DEC Environmental Navigator shows no hazardous waste sites or potential pollution sources in Milan other than the Town's active solid waste transfer station. Some citizens, however, registered concern regarding the dangers of extensive use of pesticides, fertilizers and herbicides.

To make more science-based decisions requires data. A natural resources inventory has not been completed for the Town; however, it has been initiated by the CAC with completion scheduled for fall 2005. It will provide robust scientific underpinning for environmental assessments and recommendations consistent with the requirements of the State Environmental Quality Review Act whenever Town boards make decisions. The Greenway Compact also provides guidance regarding the use of such data to protect the environment and manage growth consistent with its protection and the wishes of the citizens of the region.

The Town is a participant in the Wappinger Creek Watershed Management Council, recognizing the importance that Milan's watersheds play with respect to the water resources of our regional community.

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Wetlands regulations have been adopted in many Dutchess County municipalities, in part to address the weakening of federal wetlands protection by the Army Corps of Engineers. In addition to a natural resources inventory, which is compiled largely from existing data, the National Wetland Inventory is a valuable tool for assessing wetlands. However, this has not been completed for the northern portion of Town, one of few such areas in Dutchess County. This data is particularly important if the Town is to have meaningful wetlands regulations. The Town's population relies on private wells. To maintain water quality, regulations to protect wetlands, streams, lakes, and aquifers are of critical importance for the Town. A further area, which has received little attention in the past, is the Town's biodiversity. The presence of threatened or endangered species and their habitat, and other biodiversity observations, need to be incorporated into the natural resources inventory.

C. Goals and Visions

The Community Priorities Survey conducted in the year 2000 demonstrated the high degree of support for environmental issues, with 88.9% supporting a requirement for developers to dedicate land to open space. The physical features of the Town listed in the survey were considered important to maintain by large majorities of the respondents (see appendix). This sentiment was reinforced in the May 2004 Public Workshops, in which the environment was the greatest concern of the participants. The rural character and environmental resources, including open space and wildlife habitat, were among the things most valued by residents.

Development of the Natural Resources Inventory will help bring more scientific considerations to Town zoning and land-use planning. The Comprehensive Plan establishes the foundation that can enable the Town to protect its environment and biodiversity and to encourage a meaningful and science-based role in support of the development of Town land-use regulations and decisions by the Town, Planning and Zoning Boards.

The Comprehensive Plan, when adopted by the town, can also establish the foundation for the protection of Critical Environmental Areas as defined by the NYS Environmental Quality Review Act. A Critical Environmental Area (CEA) is any area of the town that is of particular environmental, scenic, cultural, or historic importance, as designated by the Town, Planning, or Zoning Board. CEAs are a useful tool for identifying and protecting sensitive areas that should be examined carefully with extra concern for preservation when development is proposed.

The use of the Greenway Compact guidelines regarding development considerations, including the protection of dark skies, open space, green buffers, and a quiet environment will also assist the Town. The protection of the rural character most prized by Milan residents will be aided by knowledgeable use of a natural resource inventory including soil, slope, water resources, habitat and other maps by an involved and effective CAC.

D. Recommendations

1. Commit to the maximum extent possible to science-based decision making:
 - Require CAC review of all development proposals.
 - Integrate Habitat Assessment Guidelines into subdivision and site plan processes.
 - Participate on the Dutchess County Environmental Management Council and the Wappinger Creek Watershed Committee and involve them on significant projects for their guidance and advice.
2. Complete a Natural Resources Inventory for the Town as soon as possible and adopt associated maps as official maps of the Town for planning purposes.

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3. Conduct, as soon as possible, a Town-wide habitat analysis and create a habitat map for the Town.
4. Establish, as soon as possible, which locations have particular environmental value or sensitivity and create an environmental overlay for the Town, to be adopted as an official town map.
 - Define and identify ridge lines.
 - Define and identify steep slopes.
 - Define and identify scenic roads and vistas.
 - Identify prime and important agricultural soils, as well as soils with significant development constraints.
 - Define and identify threatened, endangered, and rare species of local significance and their probable habitat.
 - Define and identify water resources.
 - Define and identify areas containing gravel and sand.
5. Manage development on environmentally constrained lands to preserve environmental values
 - Encourage conservation easements.
 - Utilize conservation subdivision (clustering) approach to preserve open space, protect more sensitive lands, and limit habitat fragmentation.
6. Protect environmental values by restricting development and use of sensitive lands and resources through:
 - Town water resources ordinances.
 - Ridgeline protection regulations.
 - Establish Critical Environmental Areas (soils, slopes, water resources, habitats, scenic, cultural and historical resources) in the Town Zoning Regulations.
 - Abolish or redefine the Land Conservation Zone, replacing the protection it was intended to provide by more specific and targeted environmental regulations.
 - Control logging and excavation through Town permits to ensure protection of sensitive lands, soils, and water resources.
7. Attach and emphasize the Greenway Compact Guidelines as an addendum to development regulations.
8. Encourage and support the CAC to advance community awareness and education to advance the environmental health and enjoyment of our citizens.
 - Encourage the use of organic pesticide, herbicide, and fertilizer alternatives.
 - Disseminate information on Milan's environmental values and opportunities.
9. Maintain aspects of rural character—dark skies and quiet—through application of Greenway lighting guidelines to all development and the establishment of noise ordinances.
10. Establish a trails committee or association to identify opportunities and create a plan to build an interconnected trail system. An ordinance to except trails from our current roadway widths will be needed.
11. Maintain sensitivity to local air quality issues; study the impact of outdoor burning and outdoor furnaces.
12. Participate as a SEQR interested party in development matters in other municipalities when they affect Milan.

E. Implementation Strategies

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The following strategies will aid in the realization of cultural and natural resource objectives.

1. The CAC has obtained grant assistance to undertake the Natural Resources Inventory and will work with the Planning Board and the Town Board to fulfill the requirements to officially complete this work.
2. The CAC has obtained support for Biodiversity Training offered by the Hudson River Estuary Program and Hudsonia, and has a number of members trained to undertake habitat analysis mapping in the Town.
3. The CAC has obtained support from the Hudson River Estuary Program for a water resources study and hopes to obtain additional support from Dutchess County.
4. Funds will be required for the studies outlined, for the professional support to draft new regulations, and for community outreach. The CAC and the Town Board should avail themselves of any avenues of financial and professional assistance through grants or other support as are available through county, state, federal, or nonprofit organization resources.
5. The Town Board, Planning Board, and Zoning Board of Appeals should consult with the CAC whenever land-use decisions are considered to gain the benefit of their perspectives.